

47 **Register, including check numbers 42728 through 42737 in the amount of \$194,501.82,**
48 **electronic funds withdrawals of \$236,418.61, managers per diems and reimbursements**
49 **of \$7,114.04, employee reimbursements of \$971.75, and payroll electronic funds**
50 **withdrawals and disbursements of \$312,375.09, for a total of \$751,381.31; the Surety**
51 **Check Register with payment of \$30.00 in fees to Old National Bank; wire transfers of**
52 **\$149,765.00 for principal and interest payments to the City of Richfield for 2020B; and**
53 **the following resolutions:**

54

55 **Resolution 26-006: Authorization to Renew Metro Watershed Partners Membership**

56

57 **NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek**
58 **Watershed District Board of Managers authorize the District Administrator to**
59 **spend \$6,000 to renew MCWD's Metro Watershed Partners annual**
60 **membership;**

61

62 **Resolution 26-007: Authorization to Execute a Contract for Water Quality Lab**
63 **Services**

64

65 **NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers**
66 **hereby authorizes the Administrator, on the advice of counsel, to execute a**
67 **contract with RMB Environmental Laboratories, Inc., for water quality lab**
68 **analysis from February 1, 2026 through December 31, 2027, pursuant to the**
69 **price and other terms stated in the vendor's quote;**

70

71 **Resolution 26-008: Recognition for Lisa Fowler's Service on MCWD's Citizens**
72 **Advisory Committee**

73

74 **NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek**
75 **Watershed District Board of Managers: hereby formally acknowledges Lisa**
76 **Fowler's contribution to the organization and expresses its deep gratitude and**
77 **thanks for her service;**

78

79 **Resolution 26-009: Recognition of Denise Tennens's Service on the MCWD Citizens**
80 **Advisory Committee**

81

82 **NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek**
83 **Watershed District Board of Managers: hereby formally acknowledges Denise**
84 **Tennen's contribution to the organization and expresses its deep gratitude and**
85 **thanks for her service;**

86

87 **Resolution 26-010: Recognition for Kevin Zahler's Service on MCWD's Citizens**
88 **Advisory Committee**

89

90 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
91 *Watershed District Board of Managers: hereby formally acknowledges Kevin*
92 *Zahler's contribution to the organization and expresses its deep gratitude and*
93 *thanks for his service;*
94

95 *Resolution 26-011: Declaration of Official Intent to Reimburse Expenditures for*
96 *Acquisition of 6300 Painter Road, Minnetrista, with the Proceeds of Obligations*
97

98 *NOW, THEREFORE, BE IT RESOLVED that the Board of Managers of*
99 *Minnehaha Creek Watershed District hereby declares its official intent*
100 *pursuant to the Reimbursement Regulation to issue up to approximately*
101 *\$1,000,000 of obligations to finance the costs of the Project; and*
102

103 *Resolution 26-012: Approval to Continue Joint Funding Agreement with the USGS for*
104 *Gauging Stations and Technical Assistance in 2026 and 2027*
105

106 *NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek*
107 *Watershed District Board of Managers authorizes the Administrator, on advice*
108 *of counsel, to extend the joint funding agreement with the USGS for services*
109 *from October 1, 2025 through September 30, 2027 with a total cost not to*
110 *exceed \$30,660 annually.*
111

112 *Upon vote, the motion carried, 5-0.*
113
114

115 **BOARD, COMMITTEE AND TASK FORCE REPORTS**

116

117 President's Report: None.
118

119 Citizens Advisory Committee Report: Manager Maxwell reported that the CAC met the previous
120 Wednesday and discussed the project updates, including Gateway to the Greenway, and
121 Montgomery Avenue, as well as the 2027 Plan.
122

123 MN Watersheds Metro Chapter Report: Manager Olson reported that quarterly meeting of the
124 Minnesota Watersheds Metro Chapter included many presentations and updates. Highlights
125 included ideas from the watershed equity alliance on increasing the diversity of applicants in
126 environmental fields, note of the new training videos from BWSR, and a grant request from the
127 Stormwater Research Council. Manager Maxwell noted that Manager Olson will chair the Metro
128 Chapter for 2026.
129

130 Chair Olson noted the schedule of upcoming meetings presented in the agenda, including the
131 January 27 kickoff event for the 2027 Plan.
132

133 **PUBLIC HEARINGS AND PRESENTATIONS**

134
135 None.

136
137 **PERMITS REQUIRING A VARIANCE OR DISCUSSION**

138
139 None.

140
141 **ACTION ITEMS**

142
143 6300 Painter Road, Minnetrista

144
145 Resolution 26-013: Approving Accessory Structure Agreement with City of Minnetrista

146 Resolution 26-014: Approving Contract for Demo Services

147 Resolution 26-015: Approving Site Management Plan

148
149 Ms. Kailey Cermak appeared before the Board of Managers to review the request for board
150 action. She provided an overview of plans and progress with the acquisition of 6300 Painter
151 Road, noting that staff is requesting action on three resolutions.

152
153 She noted that as part of the near-term restoration strategy, all structures and debris on the
154 property will be removed through a demolition contract, with the exception of a recently
155 constructed steel pole shed. The pole shed is in good condition, and retaining it allows the
156 District to maintain interim flexibility for ongoing site planning and future capital project work
157 while supporting efficient use of public resources by avoiding unnecessary demolition and
158 potential reconstruction costs. Under city code, because the principal residence will be removed,
159 retaining the pole shed requires an accessory structure agreement with the City. MCWD staff
160 have coordinated with City staff on the proposed agreement, which outlines MCWD's ability to
161 utilize the pole shed for storage of its seasonal supplies, equipment, and/or watercraft.

162
163 *It was moved by Manager Maxwell, seconded by Manager Hejmadi to adopt Resolution 26-*
164 *013: Approving Accessory Structure Agreement with City of Minnetrista as follows:*

165
166 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed***
167 ***District Board of Managers authorizes the District Administrator, on advice of counsel,***
168 ***to execute the accessory structure agreement with the City of Minnetrista for the***
169 ***property located at 6300 Painter Road.***

170
171 In response to a question from Manager Hejmadi, Ms. Cermak noted that the pole shed is
172 currently vacant but will be used for storing MCWD equipment. In response to questions
173 from Managers Maxwell, Hejmadi and Olson, Ms. Cermak described conditions at the
174 site. ***There being no further discussion, upon vote, the motion carried 5-0.***

175

176 Resolution 26-014: Approving Contract for Demo Services

177

178 Ms. Cermak reviewed the quotes for demolition services and reviewed the demolition
179 plans and timing of the work. She noted that staff received five quotes for the demolition
180 work and recommends Rachel Contracting. Ms. Cermak noted plans for the Mound Fire
181 Department to burn two structures as part of training exercises. Staff is requesting
182 authority to direct performance of an add-alternate, in the event that the structures are not
183 burned, in the amount of up to 11 percent of the base quote. ***It was moved by Manager***
184 ***Hejmadi, seconded by Manager Sando, to adopt Resolution 26-014: Approving***
185 ***Contract for Demo Services as follows:***

186

187 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
188 ***Watershed District Board of Managers awards the contract to Rachel***
189 ***Contracting in the amount of \$71,165, and authorizes the District***
190 ***Administrator to execute and otherwise take all steps necessary or appropriate***
191 ***to administer the contract;***

192

193 ***BE IT FURTHER RESOLVED that the District Administrator, in his discretion***
194 ***and on advice of counsel, may approve work changes in an amount of up to 10***
195 ***percent of the contract price in aggregate and, separately, in an amount of up to***
196 ***11 percent of the contract price specifically for demolition of the residence and***
197 ***attached garage, in the event they have not been removed prior to demolition***
198 ***work.***

199

200 In response to a question from Manager Loftus, Ms. Cermak said that staff would investigate
201 well conditions at the site. In response to a question from Manager Hejmadi, Ms. Cermak noted
202 that groundwater wells may be utilized for water sampling, and photographs would document the
203 condition of the site prior to demolition and restoration work begins. Ms. Cermak confirmed in
204 response to a question from Manager Maxwell that the site would be covered with topsoil to
205 match existing grade and seeded. In response to a question from Chair Olson, Ms. Cermak
206 reviewed the schedule for the fire department training exercise.

207

208 ***There being no further discussion, upon vote, the motion carried 5-0.***

209

210 Resolution 26-015: Approving Site Management Plan

211

212 Ms. Cermak noted the standard practice for MCWD to develop site management plans
213 for property it acquires. In this case, the proposed site management plan documents the
214 site's existing conditions, outlines management areas and restoration objectives, and
215 defines how the property will be used and maintained in the interim while longer-term
216 subwatershed and site-specific planning takes place. For MCWD's risk management
217 purposes, the plan also addresses periodic staff inspection for hazards and unauthorized
218 entry.

219 ***It was moved by Manager Hejmadi, seconded by Manager Olson, to adopt Resolution***
220 ***26-015: Approving Site Management Plan as follows:***

221

222 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
223 ***Watershed District Board of Managers approves the 6300 Painter Road Site***
224 ***Management Plan.***

225

226 In response to a question from Manager Maxwell, Ms. Cermak stated that staff have used
227 battery-operated security cameras at other sites, and will explore it here. Manager Loftus
228 noted that the MCWD's due diligence process seemed very thorough. ***There being no***
229 ***further discussion, upon vote the motion carried 5-0.***

230

231 Resolution 26-016: Authorization to Contract for Tree Removals at Greenway to Cedar
232 Trail Connection

233

234 Mr. Gabe Sherman appeared before the Board of Managers to review the request for
235 board action. He reviewed the background for the Cedar Trail Connection project and
236 noted that construction of the trail will take place under thawed conditions, but due to
237 protection for the northern long-eared bat, tree removals must occur between November 1
238 and March 31. He stated that there are approximately 40 trees to be cleared from the trail
239 alignment, in addition to brush, and that buckthorn clearing south of the rail bridges has
240 been planned as part of the project as well. Mr. Sherman noted that staff sought quotes to
241 complete all this work at the same time for cost and operational efficiency.

242

243 Mr. Sherman stated that staff requested quotes for the tree removal work from a list of
244 sixteen vendors and received three quotes. He said that staff recommends entering into a
245 contract with Pro Tree for this work.

246

247 In response to a question from Manager Hejmadi, Mr. Sherman affirmed that Pro Tree is
248 a known contractor based on its previous work for the City of St. Louis Park and MCWD.
249 Manager Loftus asked about timing considerations for the work, and Mr. Sherman
250 reviewed plans for coordination with the City and stated that he expected to be able to
251 issue a notice to proceed to the contractor on or about February 17.

252

253 ***It was moved by Manager Hejmadi, seconded by Manager Maxwell to adopt Resolution***
254 ***26-016: Authorization to Contract for Tree Removals at Greenway to Cedar Trail***
255 ***Connection as follows:***

256

257 ***NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek***
258 ***Watershed District Board of Managers authorizes the District Administrator, on***
259 ***advice of counsel, to enter into a contract with Pro Tree in the amount of***
260 ***\$16,046 for tree, brush, and buckthorn removal at the Greenway to Cedar Trail***
261 ***Connection project site, contingent on the St. Louis Park City Council's***

262 *approval of the project agreements between MCWD and the City, and*
263 *authorizes the Administrator to execute change orders up to an additional*
264 *aggregate amount of 10 percent of the contract price.*
265

266 Manager Maxwell asked about the presence of ash trees in the area, and Mr. Sherman
267 stated that there are some ash trees in the area, but not in the designated removal area,
268 and staff would defer to the City's preferences on removal of any ash trees. In response
269 to a question from Chair Olson, Mr. Sherman noted that utilities along Powell Road
270 above ground are being surveyed and accounted for by the City. In response to a
271 question from Manager Sando, Mr. Sherman said that the ideal completion date for the
272 project is late Fall of this year. *There being no further discussion, upon vote, the*
273 *motion carried 5-0.*
274

275 **BOARD DISCUSSION ITEMS**
276

277 County Road 6 Pond Retrofit Construction Contract
278

279 Ms. Kailey Cermak and Mr. Nick Ayers came before the Board of Managers to discuss
280 the status of work under the County Road 6 Pond Retrofit contract. She noted that
281 construction began on January 5. Ms. Cermak reported that initial activities included
282 dewatering the stormwater facilities, tree removal, and ice removal in areas where pond
283 grading will occur. She noted that muck removal and disposal, and the import of clean
284 clay fill for construction of the filter bench are main cost items in the work. She
285 explained that under the contract, these bid items are quantity-based and dependent on
286 subsurface conditions and the volume of material removed and imported during
287 construction.
288

289 Ms. Cermak stated that during ice removal and initial excavation within the footprint of
290 the proposed filter bench, the contractor encountered additional unconsolidated bottom
291 material (muck) beyond the quantities identified in the bid, including in areas where
292 muck removal was not previously anticipated. She noted that the presence of this
293 additional muck creates constructability and long-term system performance concerns.
294 Ms. Cermak said that Stantec recommends removal of the additional muck and
295 replacement with clay fill to establish a suitable foundation for the filter bench.
296

297 Staff and Stantec have been working to refine the estimated quantities, and it appears that
298 the project would still be within the budget. In response to a question from Manager
299 Olson, Ms. Cermak said that staff has reviewed the due diligence by Stantec in working
300 on a site design to address site conditions. The managers discussed site conditions, and
301 in response to a question from Manager Loftus, Mr. Smith reviewed the framework for
302 construction work in which quantities are not known and therefore bid on a per unit cost.
303 Mr. Ayers noted that more sediment surveys and borings could have been done to inform
304 the project design, but it is not standard practice. He stated that unit price bidding for a

305 project like this would be considered standard practice. Mr. Ayers said that the risk of a
306 variance from expected quantities is usually mitigated by front end due diligence; in this
307 case the engineer relied on some sample testing of sediment, and the County Road 6 Pond
308 as-builts. The managers thanked Ms. Cermak and Mr. Ayers for this report.
309

310 **BOARD INQUIRIES, ISSUES, AND IDEAS**

311
312 Manager Hejmadi asked about planning for the Minnesota Watersheds Summer Tour, and Mr.
313 Wisker confirmed that MCWD will host the Summer Tour in 2027.
314

315
316 **STAFF UPDATES**

317
318 Administrator's Report

319
320 Mr. Wisker reported on the following items:
321

- 322 1. MCWD representatives will attend the Edina City Council meeting on February 4 to
323 share the Project of the Year Award for Arden Park;
324
- 325 2. Meetings with Hennepin and Carver County Commissioners have been going well and
326 reflect support for the MCWD's work;
327
- 328 3. A recent paper produced by the Sensible Land Use Coalition presents a variety of
329 proposals to reduce housing production costs, including flexibility to cut down more trees
330 and to have municipalities exclusively handle water resource regulation. The latter
331 suggestion is already provided for in the watershed planning process.
332
- 333 4. Rachel Baker came before the Board of Managers to provide an update on the
334 construction of the East Auburn Wetland Restoration Project. She reported that
335 construction is proceeding ahead of schedule; the new weir is complete and new helical
336 piers are being installed for the new boardwalk.
337
- 338 5. Samantha Hoppe reported to the Board on plans for the 2027 Plan kickoff event on
339 January 27. Over 80 people have registered. In response to a request from Manager
340 Hejmadi, Ms. Hoppe said that staff could prepare support materials including answers to
341 frequently asked questions.
342

343 The managers thanked Mr. Wisker, Ms. Baker, and Ms. Hoppe for this report.
344

345 **CLOSED SESSION DISCUSSION**

346
347 325 Blake Road Restoration and Redevelopment, Hopkins

348
349 *Pursuant to legal counsel's recommendation, it was moved by Manager Maxwell, seconded by*
350 *Manager Loftus for the Board to go into closed session for the purpose of discussing the terms*
351 *of potential sale of 325 Blake Road in Hopkins. Upon vote, the motion carried 4-0 (Manager*
352 *Hejmadi absent for vote but returned for closed session).*

353
354 The Board of Managers went into closed session.

355
356 The Board of Managers returned to open session.

357
358 **Adjournment**

359
360 There being no further business, Chair Olson declared the meeting of the Board of Managers
361 adjourned at 9:16 p.m.

362
363 Respectfully submitted,

364
365
366 Eugene Maxwell, Secretary
367

